

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSEPH FRIEL, individually and on behalf of a class of all persons and entities similarly situated,

Plaintiff

vs.

GABRIEL A. LEVY, P.C.,
d/b/a MY DEBT LAWYERS

Defendant.

Case No. 3:25-cv-00502

**REQUEST FOR CLERK'S ENTRY OF DEFAULT
AGAINST DEFENDANT GABRIEL A. LEVY, P.C.**

COMES NOW Plaintiff Joseph Friel, by and through the undersigned counsel, pursuant to FED. R. CIV. P. 55(a), and hereby files this Motion for Clerk's Entry of Default against Defendant Gabriel A. Levy, P.C., d/b/a My Debt Lawyers in the above-styled action. Plaintiff respectfully requests that the Clerk of Court enter default as the Defendant has failed to serve or file an answer to Plaintiff's claims in this action within the time permitted by law or otherwise. Federal Rule of Civil Procedure 12(a), entitled "Time to Serve a Responsive Pleading," provides in pertinent part that "[a] defendant must serve an answer within 21 days after being served with the summons and complaint." FED. R. CIV. P. 12(a)(1)(A)(i). Federal Rule of Civil Procedure 55(a), entitled "Entering a Default," provides that "[w]hen a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend, and that failure is shown by affidavit or otherwise, the clerk *must* enter the party's default." FED. R. CIV. P. 55(a).

Here, the Plaintiff filed the Complaint naming Defendant on March 18, 2025. (See ECF

No. 1.) Defendant was served with the Summons and Complaint on March 22, 2025. (See ECF No. 5.) Accordingly, Defendant's responsive pleading was due on April 14, 2025. Defendant did not file a response as of April 24, 2025. Accordingly, the Plaintiff requests that the Clerk enter the Defendant's default pursuant to FED. R. CIV. P. 55(a).

The Plaintiff intends to move for leave to conduct discovery into the classwide claims shortly and potentially move for class certification prior to seeking a default judgment.

CONCLUSION

WHEREFORE, for the reasons set forth herein, the Plaintiff respectfully requests that the Clerk of Court enter default against the Defendant pursuant to FED. R. CIV. P. 55(a).

RESPECTFULLY SUBMITTED AND DATED this April 24, 2025.

/s/ Andrew Roman Perrong
 Andrew Roman Perrong, Esq.
 Perrong Law LLC
 2657 Mount Carmel Avenue
 Glenside, Pennsylvania 19038
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 a@perronglaw.com

CERTIFICATE OF SERVICE

I certify that I filed the foregoing via ECF on the below date, which will automatically send a copy to all attorneys of record on the case.

I further certify that I mailed a copy of the foregoing to:

Gabriel A. Levy, P.C.
 2 Harper Street
 West Orange, NJ 07052
 Tracking Number: 00310903331480013040

Dated: April 24, 2025

/s/ Andrew Roman Perrong
 Andrew Roman Perrong